CCTV POLICY

Human Resources
YASC POL 26 – V5

2026

YARRABAH ABORIGINAL SHIRE COUNCIL
56 Sawmill Rd Yarrabah, QLD 4871

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1. LEGISLATION AND AUTHORITY

The Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)
Public Records Act 2009 (Qld)
Right to Information Act 2009 (Qld)
Information Privacy Act 2009 (Qld)
Privacy Act 1988 (Cth)

2. COUNCIL'S STATEMENT

Yarrabah Aboriginal Shire Council *('Council')* conducts its business with integrity, honesty and fairness. All employees are expected to work within the rules and actions of Council will comply with all relevant laws, regulations, codes and corporate standards.

Everyone representing Council must reflect the highest standards of behaviour. Our relationships are critical to the ongoing success of our organisation. Our leaders have responsibility for fostering a culture where ethical conduct is recognised, valued and applied at all levels.

This policy is to be read in conjunction with relevant legislation and the Code of Conduct, which outlines our standards of behaviour and workplace culture are in accordance with Council's principles:-

3. PURPOSE

The purpose of the Yarrabah Aboriginal Shire Council (YASC) CCTV Policy is to outline how YASC will manage its obligations to the public when installing, operating and managing the use of CCTV systems at YASC properties and in public places.

CCTV systems controlled by YASC will be installed and managed in accordance with applicable legislation and only for the following purposes:

- The identification, management and deterrence of criminal or unlawful behaviour.
- The identification of appropriate evidence for the investigation and prosecution of criminal offences.
- Investigation into matters relating to asset damage or work health and safety incidents.
- The identification of risk to the public, assets and Council employees.
- The protection of Council's assets.

4. COMMENCEMENT OF POLICY

This Policy replaces all other CCTV policies of YASC (whether written or not).

5. APPLICATION OF THE POLICY

This policy applies to YASC controlled and managed CCTV systems installed within its premises and in public spaces.

The policy also applies to all YASC employees and contractors and other parties involved with the installation, management and maintenance of YASC's CCTV cameras, and who may access footage from time to time.

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6. POLICY PROVISIONS

Under the Local Government Act 2009 ("LGA"), Councils have a broad power to do anything it considers necessary for the good rule and government of its local government area.

In addition to CCTV recordings, the system may be monitored in "real time" by YASC.

Where CCTV footage may contain personal information, YASC must collect that footage for a lawful purpose in compliance with the Information Privacy Act 2009 ("IP Act") and the Information Privacy Principles ("IPPs"), which are contained in the IP Act.

The lawful purposes for which YASC may collect CCTV footage include:

- to monitor and assist in the enforcement of Council's local laws and other legislation in respect of which Council has jurisdiction:
- to assist law enforcement agencies such as the Queensland Police Service in obtaining evidence and prosecuting offences;
- to enhance the safety and security of Council staff, the community generally and Council assets;
- to identify potential breaches by Council staff of their employment contracts, Council's local laws or other legislation, and to gather evidence in respect of those breaches.

YASC will not collect CCTV footage for unlawful or unfair purposes. Examples of unlawful or unfair purposes may include:

- where the collection is not for a lawful purpose;
- where the collection unduly infringes on an individual's right to privacy, and is in contravention of the IP Act;
- where the CCTV installation monitors private property, without the permission of the occupier of that property.

YASC will, where practicable and appropriate, install signs within the vicinity of a CCTV installation to disclose the existence of the installation. Signs may not be installed where YASC considers it appropriate to obtain CCTV footage covertly.

YASC will ensure that any installation of CCTV facilities in its local government area is for a lawful purpose.

Use of CCTV equipment must be restricted to authorised employees and contractors and only in accordance with standard operating procedures;

Measures must be taken to protect against unauthorised access, alteration, dissemination, disclosure, loss or destruction of recorded material;

Equipment must be maintained to ensure its effective operation.

7. RETENTION AND DESTRUCTION OF RECORDINGS

To minimise intrusion upon the right to privacy, unless further preserved under this policy or required by law all CCTV records are to be destroyed not earlier than 21 days and not later than 60 days after the record is created.

A CCTV record is to be further preserved under this policy if:

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- in the assessment of the Chief Executive Officer or Director – Human Resources, Risk & Regulations, the preservation of the record is in the council's interest for any reason and is directly related to a function or activity of the Council;
- the particular record is required as evidence in a potential legal proceeding;
- a request to access the particular record is received from a law enforcement or government regulatory agency (for example the police service, the fire service, or another government body with the responsibility for enforcing laws);
- a request to access the particular record is received from any party other than a law enforcement or government regulatory agency; or
- an extract of the record is made, whether or not that extract is provided to a third-party.

(Note: the receipt of a request for access to a particular record will make that record a "public record" under the Public Records Act 2002 and trigger a requirement that the record be retained in compliance with that Act.)

Unless preserved under this policy, copies of downloaded recordings shall be retained for a period of 12 months.

8. DISCLOSURE OF CCTV FOOTAGE

Requests from QPS or other Law Enforcement Agencies.

- The Information Privacy Act 2009 allows Council to disclose personal information to law enforcement agencies, including the Queensland Police Service (QPS), if the personal information is 'reasonably necessary' for a law enforcement activity. This includes personal information contained in surveillance footage.
- Each request will be assessed on a case-by-case basis.
- When footage is disclosed for law enforcement purposes, a record of the disclosure will be included with the footage. Council will meet this requirement by keeping a copy of the footage and including it with it a record of the agency's compliance with the request.

Formal Access Applications under the Information Privacy Act or Right to Information Act

- If an individual requests access to camera surveillance footage and the footage shows only that individual, Council may be able to release the footage administratively.
- If there are other identifiable people in the footage, or an organisation or company requests access to footage containing identifiable people, it is not possible for Council to release the information administratively unless the footage can be securely redacted to remove personal information.
- In these circumstances, a formal application under the Information Privacy Act 2009 or Right to Information Act 2009 will be required.

9. VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

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10. DOCUMENT CONTROL

Adoption Date:	17 February 2021	Resolution No. 05:17/02/2021	Version No. 1
Amended Date:	18 May 2022	Resolution No. 09:18/05/2022	Version No. 2
Amended Date:	29 June 2023	Resolution No. 11:29/06/2023	Version No. 3
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Reviewed Date:	19 August 2026	Resolution No. 28:19/08/2026	Version No. 5
Next Review Date:	2027		
Responsible Officer:	Chief Executive Officer		

Richard Wright
Chief Executive Officer

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